



Docket Number: ENP-057

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Wu et al. Art Unit : TBD  
Serial No. : 10/613,206 Examiner : TBD  
Filed : July 3, 2003  
Title : AZA-PEPTIDE MACROCYCLIC HEPATITIS C SERINE PROTEASE  
INHIBITORS

Mail Stop Missing Parts  
Commissioner for Patents  
Washington, D.C. 20231

RESPONSE TO REQUIREMENT FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE  
SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Dear Sir:

This paper [a total of 2 pages] is in response to the Notice to Comply With Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures dated February 17, 2004 (the "Notice").

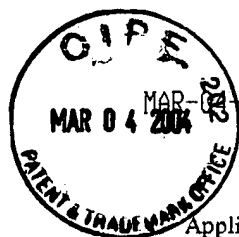
REMARKS

The United States Patent and Trademark Office has required Applicants in the Notice to provide sequence listings pursuant to 37 C.F.R. § 1.821-1.825 for the instant application. Applicants disagree with this requirement. M.P.E.P. § 2422.01 states "Sequences with fewer than four specifically defined nucleotides or amino acids are specifically excluded from this section."

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or being facsimile transmitted to the USPTO, on the date indicated below.

Date of Deposit: 3/4/2004Signature: [Signature]Typed or Printed Name of Person Signing Certificate: Jason D. Ferrone (Reg. No. 52,887)



MAR-04-2004 THU 11:48 AM ENANTA PHARMACEUTICALS

FAX NO. 6176070530

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Serial Number : 10/613,206  
Filed : July 3, 2003  
Page : 2

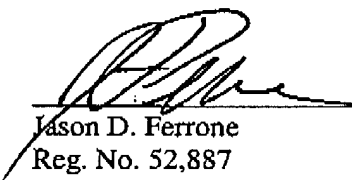
Applicants submit that the compounds described by formula I (Specification, page 4) in the instant patent application contain only two amino acids thus removing formula I from the purview of 37 C.F.R. § 1.821-1.825. Applicants therefore respectfully request that the Requirement for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures be withdrawn.

No fee is believed to be due. In the case that there is a deficiency in fees, please apply any charges to Deposit Account No. 50-2010 referencing attorney docket number ENP-057.

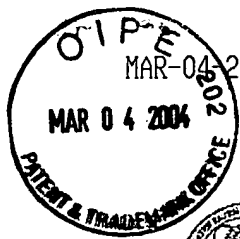
Respectfully submitted,

Date:

3/4/2004

  
Jason D. Ferrone  
Reg. No. 52,887

Enanta Pharmaceuticals, Inc.  
Attn: Patent Dept.  
500 Arsenal Street  
Watertown, MA 02472



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FAX NO. 6176070530

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## UNITED STATES PATENT AND TRADEMARK OFFICE

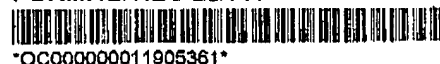
UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/613,206	07/03/2003	Frank X. H. Wu	ENP-057

36078  
ENANTA PHARMACEUTICALS, INC.  
ATTN: PATENT DEPT.  
500 ARSENAL STREET  
WATERTOWN, MA 02472

CONFIRMATION NO. 4593

## FORMALITIES LETTER



\*OC000000011905361\*

Date Mailed: 02/17/2004

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS  
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE  
DISCLOSURES**

*Filing Date Granted*

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450

Alexandria VA 22313-1450

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*A copy of this notice MUST be returned with the reply.*

B. Habtewold  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202  
PART 2 - COPY TO BE RETURNED WITH RESPONSE